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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 ANDRES LARRY LUNA,  
12 Petitioner

13 v.

14 M.E. SPEARMAN,  
15 Respondent.  
16

Case No. CV 13-7549-MMM (GJS)


**ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE**

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition and all  
18 pleadings, motions, and other documents filed in this action, the Report and  
19 Recommendation of United States Magistrate Judge (“Report”), and Petitioner’s  
20 Objections to the Report. Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P.  
21 72(b), the Court has conducted a de novo review of those portions of the Report to  
22 which objections have been stated.  
23

24 Most of the matters set forth in the Objections were before the Magistrate Judge  
25 and were considered by her in connection with the Report. To the extent, as it  
26 appears, Petitioner claims that error occurred in the state habeas process, his  
27 arguments do not state a basis for issuing a stay, nor would they constitute a  
28 cognizable habeas claim in this action.

1 The Court accepts the findings and recommendations set forth in the Report.  
2 Accordingly, **IT IS ORDERED** that Petitioner's motion for stay and abeyance  
3 (Docket No. 24) is DENIED.

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5 DATED: October 15, 2015

  
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6 MARGARET M. MORROW  
7 UNITED STATES DISTRICT JUDGE  
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